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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/014,904
Filing Date: December 14, 2001
Appellant(s): HAWKINS ET AL.

Mark L. Watson
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed June 16, 2008 appealing from the Office action mailed December 27, 2007.

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(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

WITHDRAWN REJECTIONS

The following grounds of rejection are not presented for review on appeal because they have been withdrawn by the examiner:

The rejection of claims 1, 4, 5, 7-10 and 16-22 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement has been withdrawn because Appellant's arguments are found persuasive.

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(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,487,463	Stepp, III	11-2002
4,975,766	Umezawa	12-1990
5,367,669	Holland et al.	12-1994
6,073,251	Jewett et al.	06-2000

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1, 4, 5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stepp, III(6,487,463) and what is well known in the art, as evidenced by Umezawa(US 4,975,766).

Regarding claim 1, Stepp discloses a first set of field replaceable units each being of a first type(Figure 3, 314); a second set of field replaceable units each being of a second type(Figure 3, 316); a first management bus(Figure 3, Bus between 314 and 320), directly coupled to each of the first set of field replaceable units, wherein the first management bus is coupled only to field replaceable units of the first type; a second management bus(Figure 3, Bus(Fan M and Fan C Wires) between 316 and 320), directly coupled to each of the second set of field replaceable units, wherein the second management bus is coupled only to field replicable units of the second type; and a central management agent(Figure 3, 320) coupled to the first management bus and the second management bus, to monitor each of the first and second sets of field replaceable units via the first and second management buses, and to transmit signals to control the second set of field replaceable units(Column 6, Lines 14-19 and

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55-62); and a communication link, coupled to the central management agent, to transmit signals received from the central management agent indicating a failure of one or more of the first set of field replaceable units and the second set of field replaceable units to a remote location(Column 6, Lines 58-62).

Stepp does not specifically disclose the first set of field replaceable units being controlled. However, Stepp discloses a controller(Figure 1, 126) connected to transmit control signals to the second set of field replaceable units(Column 6, Lines 14-19, Fans 316). Stepp further discloses the first set of field replaceable units(Figure 3, Sensors 314) connected to the controller(Figure 3, 320). It would have been obvious to one of ordinary skill in the art to use the central management agent, i.e. controller 320, connected to the first set of field replaceable units(Sensors 314), to transmit control signals to the first set of field replaceable units(Sensors 314) by turning the sensors on and off for power conservation management or if the sensor is malfunctioning. Examiner notes it is well-known in the computer art to control sensors with an external circuit and has taken official notice of such. For evidence purposes, Umezawa discloses transmitting control signals to the temperature sensors(Column 4, Lines 44-49 and 6-11).

Regarding claim 4, Stepp does not specifically disclose a system, wherein the first and second management buses are Inter-IC buses. However, Official Notice is being taken that the Inter-IC bus is a well-known bus in the art. It would have been obvious to one of ordinary skill in the art to use Inter-IC busses as the first and second management busses for the advantage that only two lines (clock and data) are required for full duplexed communication between multiple devices. The common knowledge or well known in the art statement is taken to be admitted prior art because applicant failed to traverse the examiner's assertion of official notice(see MPEP 2144.03(C)).

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Regarding claim 5, Stepp does not specifically disclose a system, wherein the system further comprises a second central management agent coupled to the first management bus. However, Official Notice is being taken that using a second central management is well known in the art. It would have been obvious to one of ordinary skill in the art to use a second central management agent for the advantage of having a redundant central management agent to take over in case the first management agent fails. The common knowledge or well known in the art statement is taken to be admitted prior art because applicant failed to traverse the examiner's assertion of official notice(see MPEP 2144.03(C)).

Regarding claim 7, Stepp discloses a system, wherein the central management agent is a processor(Column 6, Lines 20-21).

Claims 8-10 and 16-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stepp, in view of Holland(5,367,669)

Regarding claim 8, Stepp discloses a system, wherein the first set of field replaceable units are temperature sensors(Figure 3, 314) but does not specifically disclose a set of field replaceable units are power supplies. However, Holland discloses a set of field replaceable units that are power supplies(Figure 3, 120). It would have been obvious to use the power supply 302 of Stepp with a set of field replaceable units that are power supplies, as disclosed by Holland, for the advantage of having redundant power supplies on one bus to take over in case the first power supply fails or to increase the amount of voltage provided to the system.

Regarding claim 9, Stepp does not specifically disclose a system, further comprising: a third management bus, coupled to the central management agent, to couple only to field replaceable units of a third type, and a third set of field replaceable units each being of the third type. However, Holland discloses a third management bus coupled to a third type of field replaceable units(Figure 3, 120). It would have been obvious to use a third management bus

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coupled to a third type of field replaceable units for the advantage of having redundant power supplies on one bus to take over in case the first power supply fails or to increase the amount of voltage provided to the system.

Regarding claim 10, Stepp and Holland disclose a system, wherein the third set of field replaceable units having the third type are fan trays(Figure 3, 316 and 130, respectively).

Regarding claim 16, Stepp discloses a system comprising: two or more temperature sensors(Figure 3, 314); a first management bus(Figure 3, Bus between 314 and 320), directly coupled to each of the two or more temperature sensors, wherein the first management bus is coupled only to temperature sensors; two or more fan trays(Figure 3, 316); a second management bus(Figure 3, Bus(Fan M and Fan C Wires) between 316 and 320) directly coupled to each of the two or more fan trays, wherein the second management bus is coupled only to fan trays; and a central management agent(Figure 3, 320), coupled to the first management bus and the second management bus, to monitor the temperature sensors and the fan trays via the first and second management buses, and to transmit signals to control activation of one or more fan trays based upon signals received from the one of the temperature sensors via the first and second management buses(Column 6, Lines 14-19), and having failure detection logic to detect a failure of the fan trays(Column 6, Lines 55-62); and a network interface card coupled to the central management agent(Column 5, Lines 28-44).

Stepp does not specifically disclose having failure detection logic to detect a failure in temperature sensors and a network interface card to transmit signals received from the central management agent indicating a failure of one or more of the temperature sensors and the fan trays to a remote location. However, Holland discloses detecting failure of a component(Column 3, Lines 43-45; Column 6, Lines 58-62; Figure 1, System Fault Monitor 9). It would have been obvious to one of ordinary skill in the art to have a central management agent with failure

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detection logic to detect the failure of sensors since sensors are an essential component of monitoring and regulating temperature in the system. Failure of sensors would lead to miscalculation of the temperature in the system and therefore the fans would not properly regulate the temperature in the system. Further, Stepp discloses alerting a user upon failure of a device(Column 6, Lines 58-62) and Holland discloses sending external alarm signals(Column 3, Lines 43-45; Figure 3, 10). It would be obvious to one of ordinary skill in the art of alerting a user through a network interface card since this would alert a user of a failure even if the user were not in front of the system.

Regarding claim 17, Stepp discloses a system, wherein the system further comprises a central processing unit coupled to the central management agent(Figure 3, 304).

Regarding claim 18, Stepp discloses a system, wherein the central management agent is an abstracting agent(Column 6, Lines 14-19).

Regarding claim 19, Stepp discloses a system further comprising, one or more power supplies(Figure 3, 302). Stepp does not specifically disclose a third management bus coupled to the one or more power supplies and the central management agent, wherein the third management bus is coupled only to power supplies. However, Holland discloses a third management bus coupled to a third type of field replaceable units(Figure 3, 120), wherein the third management bus is coupled only to power supplies. It would have been obvious to use a third management bus coupled to a third type of field replaceable units for the advantage of having redundant power supplies on one bus to take over in case the first power supply fails or to increase the amount of voltage provided to the system.

Regarding claim 20, Stepp and Holland disclose a system, further comprising an external communication link coupled to the central management agent(Column 6, Lines 61-62, and Figure 3, 10, respectively).

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Regarding claim 21, Stepp does not specifically disclose a system, wherein the system further comprises a second central management agent coupled to the first management bus, to the second management bus and to the central management agent. However, Official Notice is being taken that using a second central management is well known in the art. It would have been obvious to one of ordinary skill in the art to use a second central management agent for the advantage of having a redundant central management agent to take over in case the first management agent fails. The common knowledge or well known in the art statement is taken to be admitted prior art because applicant failed to traverse the examiner's assertion of official notice(see MPEP 2144.03(C)).

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stepp and Holland, and in further view of Jewett et al.('251).

Regarding claim 22, Stepp does not specifically disclose a system further comprising a redundant first management bus coupled to the central management agent and coupled to each of the one or more temperature sensors, wherein the first management bus is not coupled to any of the other components. However, Jewett discloses a redundant first management bus coupled to the central management agent(Figure 13; 167-1, 167-2). Therefore it would have been obvious to use a redundant first management bus coupled to the central management agent in the system of Stepp, to achieve redundancy so as to prevent complete system failure in the event of the first management bus failing.

(10) Response to Argument

Appellant argues that the combination of Stepp and Umezawa does not disclose or suggest a central management agent to transmit control signals to control each of the first and second sets of field replaceable units via a first and second management buses. However, the obviousness rejection of claims 1,4,5 and 7 were based on Stepp in view of what is well known

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in the art and Umezawa was only used for evidentiary purposes. Appellant has provided no rebuttal evidencing that the Examiner's assertion of controlling sensors being well-known in the art was erroronous. Examiner notes that the Appellant himself has relied on knowledge which was well known to the artisan in order to show enablement of the disclosure. The Appellant cannot have it both ways, something cannot be well known to the ordinary artisan reading the Appellant's disclosure but unknown to that same ordinary artisan reading the references applied in determining the obviousness of the invention. Nonetheless, the Examiner has included the Umezawa reference, which supports the assertion of controlling sensors being well known in the art.

As explained earlier, Stepp discloses a controller(Figure 1, 126) connected to transmit control signals to the second set of field replaceable units(Column 6, Lines 14-19, Fans 316). Stepp further discloses the first set of field replaceable units(Figure 3, Sensors 314) connected to the controller(Figure 3, 320). It would have been obvious to one of ordinary skill in the art to use the central management agent, i.e. controller 320, connected to the first set of field replaceable units(Sensors 314), to transmit control signals to the first set of field replaceable units(Sensors 314) by turning the sensors on and off for power conservation management or if the sensor is malfunctioning. Examiner notes it is well-known in the computer art to control sensors with an external circuit and has taken official notice of such. For evidence purposes, Umezawa discloses transmitting control signals to the temperature sensors(Column 4, Lines 44-49 and 6-11). Furthermore, applicant admits that one of ordinary skill in the art would recognize that it is inherent that a controller transmits signals to devices that are to be controlled(see Appellant's Remarks filed October 12, 2007, Page 1, 4th Paragraph). Stepp also discloses a controller(Figure 3, 320) connected to sensors(Figure 3, 314). Thus, by applicant's admission,

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Step inherently discloses a central management agent, i.e. controller, that transmits signals to devices, i.e. fans and sensors, that are to be controlled.

In response to applicant's argument that neither Stepp nor Holland disclose or suggest a central management having failure detection logic, Examiner respectfully disagrees. As explained earlier, Holland discloses failure detection logic(Column 3, Lines 43-45; Column 6, Lines 58-62; Figure 1, System Fault Monitor 9) and Stepp also discloses failure detection logic(Column 6, Lines 55-62).

Therefore, Appellant's arguments are not persuasive.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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